

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 21, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:30 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steven Stine, Township Solicitor; Attorney Megan Kerrigan, Kerrigan Legal; Attorney Stephen Dzurandin; Mr. Rocco Roma, Zia's Trattoria; and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Crissman led in the recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the August 26, 2014 budget workshop meeting. Mrs. Lindsey seconded the motion, and a unanimous vote followed.

**Public Comment**

No public comment was provided.

**Board Members Comments**

No Board Member comments were provided.

**Manager's Report**

Mr. Wolfe noted that Trick or Treat will take place in the Township on Thursday, October 30, 2014 from 6 p.m. to 8 p.m. He noted that most communities in Dauphin County will observe Trick or Treat on this night. He explained that the police and fire department personnel

will be out in force. He requested residents who want to participate in this event should turn on their porch lights and parents are encouraged to supervise their children during the event.

Mr. Wolfe noted that Representative Ron Marsico will conduct a Senior Expo on Thursday, October 30<sup>th</sup> from 10 a.m. until noon at the Antique Auto Club of America Museum in Hershey. He noted that it is located on Route 39 north of Hershey Park Drive. He explained that it is a free event, proving admission to the Expo and the museum. He noted that there will be information regarding services available to seniors and their families as well as the ability to tour the museum.

### **OLD BUSINESS**

#### Resolution 14-32; indicating support for the Linglestown Sestercentennial Anniversary Committee as it plans and implements the Village's 250<sup>th</sup> Anniversary

Mr. Hawk explained that Polly Murphy is doing the lion's share of the work for the Sestercentennial Anniversary for Linglestown. He noted that she supplied him with a letter written by a previous Board of Supervisors going back to the 200<sup>th</sup> Anniversary where that Board of Supervisors recognized the celebration by way of letter. He suggested that it would be appropriate to approve a formal resolution acknowledging the 250<sup>th</sup> Anniversary of the Village of Linglestown. He noted that the last paragraph of the resolution states: "Be it further resolved that the Board of Supervisors at its discretion shall make available municipal resources to assist the Linglestown Sestercentennial Committee in its efforts." He suggested that the resolution will provide support for the Committee to move forward in the planning of its celebration.

Mr. Crissman made a motion to approve Resolution 14-32; indicating support for the Linglestown Sestercentennial Anniversary Committee as it plans and implements the Village's 250<sup>th</sup> Anniversary. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an Memorandum of Understanding providing for the operation of the Proposed Colonial Park Rotary Clock to be installed at the Linglestown Square

Mr. Hawk noted that he is on the Rotary Clock Committee that has been working on this project for eight months to determine the location and design for a Rotary Clock at the Square in Linglestown. He noted that the Committee has received tremendous support from the Community for naming gifts and pavers that will surround the clock. He noted that the Township will take on the responsibility for the clock after it is installed; however the Rotary Club Foundation will provide funding for the insurance and maintenance of the clock.

Mr. Wolfe noted that it is a four party Memorandum of Understanding between the Colonial Park Rotary Club, Colonial Park Rotary Foundation, Linglestown Area Civic Association and Lower Paxton Township. He noted that the fundraising efforts for this project are headed by the Colonial Park Rotary and Linglestown Area Civic Association, with the Colonial Park Rotary Foundation serving as the financial arm to manage the funds that will be raised. He noted that Lower Paxton Township will serve as the future owner and be responsible for the maintenance for the clock.

Mr. Wolfe noted that Mr. Lowman Henry detailed the Memorandum of Understanding to the Board members during last week's workshop meeting and the Board instructed that this be placed on the agenda for tonight's meeting.

Mr. Crissman noted that the Rotary Club has undertaken securing the funds to purchase the clock but also setting aside funds for the ongoing maintenance so it does not become an issue for the citizens of Lower Paxton Township.

Mr. Crissman made a motion to approve the Memorandum of Understanding providing for the operation of the proposed Colonial Park Rotary Clock to be installed at the Linglestown

Square. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### **NEW BUSINESS**

#### Action on the appointment of an individual to serve on the Arts Advisory Council

Mr. Hawk noted that the Parks and Recreation Board has interviewed applicants to fill a vacant position on the Arts Advisory Council. He noted that they have set forth the name of Lorraine Rodgers to complete a term that will expire December 31, 2014. He noted that she would be up for reappointment in January 2015.

Mr. Crissman questioned if Ms. Rogers is filling a vacancy due to the resignation of a member of the Advisory Council. Mr. Wolfe answered that she will be completing the term that was vacated by Deborah Delgado.

Mr. Crissman made a motion to approve the appointment of Lorraine Rogers to the Arts Advisory Council. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

#### Resolution 14-20; approving the transfer of a liquor license into Lower Paxton Township for Zia's Italian Restaurant at 5948 Linglestown Road

Mr. Hawk noted that this resolution concerns the transfer of a liquor license into Lower Paxton Township for Zia's Trattoria Restaurant located at 5948 Linglestown Road.

Mr. Wolfe noted that the liquor license in questioned is currently housed in Swatara Township and by State Law, it can be transferred to the facility in Lower Paxton Township through a process that includes action by the Board of Supervisors. He noted that the Board is asked to adopt a resolution after a public hearing that must be held on this matter. He noted that Mr. Stine can conduct a public hearing at this time.

Mr. Stine noted that this is the time and date set for the public hearing on Resolution 14-20; which would approve the transfer of a liquor license into Lower Paxton Township for Zia's Trattoria Italian Restaurant located at 5948 Linglestown Road.

Mr. Stine questioned if Megan A. Kerrigan, Esquire was representing the applicant. Ms. Kerrigan answered that she is representing Roc Roma, Inc., Rocco Roma who is the sole owner Zia's Trattoria located in Linglestown. Mr. Stine questioned if Mr. Roma will be providing any testimony. Ms. Kerrigan answered only if the Board has questions. Mr. Stine questioned if it would be necessary to swear Mr. Roma in.

Ms. Kerrigan noted that Attorney Stephen J. Dzurainin is present to represent the seller of the liquor license.

Ms. Kerrigan explained that Zia's Trattoria Restaurant is already in operation in Linglestown as it opened June 6, 2014 on Linglestown Road. She noted that the establishment was utilized previously for the same purpose and it meets all regulations for parking, noting that nothing will change for the makeup of the establishment with Mr. Roma being the sole owner. She noted that Mr. Roma has a long history of operating licensed establishments, namely Zia's Downtown which he has operated since 2004, without any violations.

Ms. Kerrigan noted that the license added to the restaurant will have a positive impact on the community, increase business for the restaurant, add increased employment opportunities, and increase activity in the Village of Linglestown which has recently undergone huge improvements over the past few years. She noted that Mr. Roma mentioned that his current customers have asked him to secure a license to distribute alcoholic beverages in the restaurant.

Mr. Stine questioned if the Board members had any questions for the applicant.

Mr. Crissman questioned if Ms. Kerrigan can speak on behalf of the applicant. Ms. Kerrigan answered yes. Mr. Crissman questioned if all taxes that are due for this property and business have been paid. Ms. Kerrigan answered yes.

Mr. Hawk questioned what Trattoria means. Mr. Roma answered that it means gathering space. Mr. Seeds noted that he ate at the restaurant the other night and the food was very good and found out that Zia's mean Aunt in Italian.

Ms. Kerrigan requested the Board to approve the resolution as soon as possible so a transfer application can be filed with the Pennsylvania Liquor Control Board.

Mr. Stine noted that it would be appropriate to close the hearing on Resolution 20-14 and the Board may take action if it so desires.

Ms. Lindsey made a motion to approve Resolution 14-20; approving the transfer of a liquor license into Lower Paxton Township for Zia's Italian Restaurant at 5948 Linglestown Road. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hornung questioned when Mr. Roma thought he could offer liquor sales to his customers. Mr. Roma answered that it normally takes 90 days but he hopes to have his license in time for New Year's Eve. He noted that he is a restaurant specializing in dinning experiences and he does not do the late night thing or a bar thing.

Mr. Seeds noted that it will be a great addition to Linglestown and he thanked Mr. Roma for moving it to the Township. Mr. Roma noted that he closed his business in the City due to the parking situation.

Action on a revised Trust Agreement as a member of the Susquehanna Municipal Trust providing for employee workers' compensation coverage

Mr. Wolfe explained that Lower Paxton Township is a member of the Susquehanna Municipal Trust which is made up of over 40 municipalities that joined together to self-insure on a pooled basis their Workers Compensation Coverage. He explained that he has been on the Board of that Trust for the past five years. He noted that the Trust Agreement is a revised agreement that is non-substantial in nature. He noted that a memorandum from Pete Whipple, the administrator of the Trust, was attached to the packet detailing the minor changes that were made to the agreement. He noted that it is the Board of Supervisors prerogative to agree to the terms.

Mr. Wolfe explained that he reviewed the Trust Agreement but he also participated in drafting some of the revised terms. He noted that they are non-substantial in nature as it is more of a concern for how we currently conduct business as opposed to how the Trust Agreement was originally structured and how business was conducted in the past. He requested that the Board approve the revised Trust Agreement. He noted as a member of the Trust the Township has had very stable Workers Compensation coverage rates for the time period that it has been a member. He noted that the overall cost for coverage has not increased in the five-year period of time.

Mr. Crissman noted that being in a consortium for Workers Compensation is much better than the other option that is available and it is an asset to the municipality. He noted that he is happy that Mr. Wolfe is a trustee on that Board and can provide the guidance that it needs to keep it running as it is.

Mr. Crissman made a motion approve the revision to the Trust Agreement as a member of the Susquehanna Municipal Trust providing for employee workers' compensation coverage.

Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on bids for emergency repairs to the wastewater collection system

Mr. Wolfe explained that the Authority advertised for bids and received one bid for the emergency maintenance contract. He noted that the sole bid was received from Rogelle Inc. in the amount of \$36,858.50. He noted that it is basically a time and materials contract for anything that could unexpectedly break in the field that is larger than what staff can handle in-house, noting that this provides to have a contractor implement the work.

Mr. Wolfe noted that Rogelle is not the current contract holder, the current contract holder declined to bid. He noted that Rogelle has had this contract in the past and has provided appropriate service. He noted that it is staff's and GHD's recommendation to award the bid to Rogelle, Inc.

Ms. Lindsey questioned why the current company did not rebid the work. Mr. Wolfe answered that he did not know specifically but he would expect that there is not much work for this contract. Ms. Lindsey questioned if it is unusual to have only one bid. Mr. Wolfe answered yes, noting when we do a mini-basin project we can get nine to twelve bidders but for this type of contract we have always had two or three. He noted that it is normally a local contractor.

Mr. Crissman made a motion to approve the bid for emergency repairs to the wastewater collection system to Rogelle in the amount of \$36,858.50. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Improvement Guarantees

Mr. Hawk noted that there was ten Improvement Guarantees

Amesbury

An extension and 10% increase in a bond with Liberty Mutual Insurance Company in the amount of \$62,856.30 with an expiration date of October 21, 2015.



#### Autumn Ridge, Phases II & III

An extension and 10% increase in a letter of credit with Fulton Bank in the amount of \$89,151.73 with an expiration date of October 21, 2015.

#### Charleston Riding

A reduction in a letter of credit with Susquehanna Bank in the amount of \$137,835.00 with an expiration date of December 17, 2014.

#### Estates of Forest Hills, Phases I-VII

An extension and 10% increase in a letter of credit with Susquehanna Bank in the amount of \$41,429.19 with an expiration date of October 21, 2015.

#### Old Iron Estates, Phases I, III, & IV

An extension and 10% increase in a letter of credit with Centric Bank in the amount of \$37,373.82 with an expiration date of October 21, 2015.

#### Quail Hollow, Phase IV

An extension and 10% increase in a bond with Developers Surety & Indemnity Company in the amount of \$74,690.15 with an expiration date of October 21, 2015.

#### Quail Hollow, Phase V

An extension and 10% increase in a bond with Developers Surety & Indemnity Company in the amount of \$266,312.53 with an expiration date of October 21, 2015.

#### Rite Aid Corporation

An extension in a bond with Westchester Fire Insurance Company in the amount of \$392,136.25 with an expiration date of October 21, 2015.

#### The Townes at Forest Hills

An extension and 10% increase in a bond with Insko Insurance Services, Inc. in the amount of \$3,419.34 with an expiration date of October 21, 2015.

Victoria Abbey at Forest Hills, Phase 2

An extension and 10% increase in a bond with INSCO/DICO Group in the amount of \$10,530.87 with an expiration date of October 21, 2015.

Mrs. Lindsey noted that some of the improvement guarantees are from HRG and a few were from Matt Miller. She questioned why we use both. Mr. Wolfe answered that the smaller amounts we can do in-house, but the larger amounts typically we send out to HRG.

Mr. Hawk noted that nine are extensions and one is a reduction.

Mr. Hornung explained that the Board used to only do extensions and never asked for an increase until one time the Board was forced to call the bond and since it was extended over ten years, the prices went up and staff determined that it did not have enough funds to pay for the improvements. He noted, now, staff typically extends a guarantee with an increase to keep current with local price increases so if it had to call the bond it would have enough funds to do the improvement.

Mr. Crissman made a motion to approve the ten listed improvement guarantees. Mrs. Lindsey second the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

**Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 7:55 p. m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary